

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

YOON DOELGER and
PETER DOELGER,

Plaintiffs,

vs.

JPMORGAN CHASE BANK, N.A., and
CHICKASAW CAPITAL MANAGEMENT,
LLC,

Defendants.

No. 1:21-cv-11042-AK

**PLAINTIFFS' MOTION TO FILE UNDER SEAL CERTAIN DOCUMENTS RELATED
TO THEIR EXPEDITED MOTION TO UNSEAL SUMMARY JUDGMENT EXHIBIT
156 AND PORTIONS OF SUMMARY JUDGMENT EXHIBITS 502, 514, and 515**

Pursuant to Local Rule 7.2, Plaintiffs Yoon and Peter Doelger (the “Doelgers”) respectfully move to provisionally impound materials and file under seal certain exhibits (the “Challenged Exhibits”) while the Court considers the Doelgers’ forthcoming Expedited Motion to Unseal such documents (the “Motion”), which include Summary Judgment Exhibit 156 and Portions of Summary Judgment Exhibits 502, 514, 515.

For the reasons stated in the Motion, JPMorgan Chase, N.A. (“JP Morgan”) improperly designated the Challenged Exhibits confidential under the protective order in this matter (the “Protective Order”) (Doc. No. 77), but in any event, the contents of the documents are now public because the Court disclosed them (with JP Morgan’s assent) when it unsealed the order granting summary judgment (Doc. No. 418, 420). The Doelgers are filing this motion solely to comply with the procedures in the Protective Order and court orders.

The Doelgers therefore ask that they be permitted to provisionally file the Challenged Exhibits under seal and that the Challenged Exhibits remain sealed only until the Court rules on the Motion or JP Morgan otherwise agrees to de-designate the Challenged Exhibits.

WHEREFORE, for the foregoing reasons, the Court should grant this motion.

Dated: New York, New York
January 7, 2025

Respectfully submitted,

YOON DOELGER and PETER DOELGER

By their attorneys,

/s/ James R. Serritella

James R. Serritella*

Hannah R. Freiman*

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**admitted Pro Hac Vice*

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CERTIFICATE OF GOOD-FAITH CONFERRAL PURSUANT TO LOCAL RULE 7.1

Undersigned counsel for Plaintiffs Yoon and Peter Doelger, James R. Serritella, hereby certifies that on January 7, 2025, the Doelgers requested JP Morgan's assent to them seeking leave from the Court to provisionally file the Challenged Exhibits under seal in connection with the Motion. The Doelgers received the email provided below in response.

/s/ James R. Serritella

James R. Serritella

From: [Tracy Appleton](#)
To: [Freiman, Hannah](#)
Cc: [William LaGrange](#); [Tibor L. Nagy](#); [Tibor Nagy](#); jlukey@manatt.com; [Jacobs, Max](#); [Ryan Baker](#) (RBaker@bassberry.com); [David Freniere](#); alex.agee@bassberry.com; [Josh Gardner](#); [Serritella, James R.](#); [Kim, Hee-Jean](#); [Cacciola, Mario J.](#); [Keurian, Mark](#); [Tracy Appleton](#)
Subject: RE: [External] RE: Summary Judgment Exhibit 156, and portions of 502, 514, and 515
Date: Tuesday, January 7, 2025 4:35:26 PM

Hannah,

As you know, the Confidential Exhibits in question are already sealed, and JPMC's position is that there is no ground to unseal them. Therefore, we agree that they should remain sealed. They are not "provisionally" sealed, and we do not agree with any implication that their sealing should be considered provisional. Finally, since the sealed nature of the documents has already been confirmed by both the District Court and the Court of Appeals, we are not clear on the exact nature of the "relief" you plan to seek from the District Court.

Accordingly, to ensure JPMC's position is made clear in any filings you submit to the Court, we ask that you include the following in connection with any L.R. 7.1(a)(2) recitation: "JPMC stated its position as follows: The exhibits at issue are already under seal pursuant to orders from the District Court and the Court of Appeals, and they should remain under seal."

JPMC reserves all rights.

Regards,
 Tracy

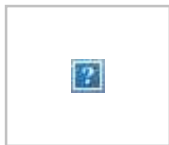
From: Freiman, Hannah <hfreiman@kandslaw.com>
Sent: Tuesday, January 7, 2025 2:48 PM
To: Tracy Appleton <tappleton@dnfllp.com>
Cc: William LaGrange <wlagrange@dnfllp.com>; Tibor L. Nagy <tibor@dnfllp.com>; jlukey@manatt.com; [Jacobs, Max](#) <MJacobs@manatt.com>; [Ryan Baker](#) (RBaker@bassberry.com) <rbaker@bassberry.com>; [David Freniere](#) <dfreniere@frenierelawgroup.com>; alex.agee@bassberry.com; [Josh Gardner](#) <josh@gardnerrosenberg.com>; [Serritella, James R.](#) <jserritella@kandslaw.com>; [Kim, Hee-Jean](#) <hkim@kandslaw.com>; [Cacciola, Mario J.](#) <mcacciola@kandslaw.com>; [Keurian, Mark](#) <mkeurian@kandslaw.com>
Subject: RE: [External] RE: Summary Judgment Exhibit 156, and portions of 502, 514, and 515

Tracy,

Today, Plaintiffs will file a motion to Judge Kelley (the "Motion") seeking to unseal the Challenged Exhibits (as defined in recent filing in the First Circuit, Summary Judgment Exhibit 156 and Portions of Summary Judgment Exhibits 502, 514, and 515). In connection with the Motion, we will re-file the Challenged Exhibits. Plaintiffs will seek leave from the Court to

provisionally file the Challenged Exhibits under seal. Does JP Morgan assent to Plaintiffs seeking this relief? We presume, yes, but please let us know by 5:30pm.

Sincerely,
Hannah



Hannah R. Freiman (she/her)

Kim & Serritella LLP

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New York, NY 10018

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CERTIFICATE OF SERVICE

I certify that on this date the foregoing motion to seal, with all accompanying papers, was filed electronically with the Clerk of the Court by CM/ECF system. Notice of this filing will be sent by e-mail to all parties by operation of this Court's CM/ECF electronic filing system.

Parties may access this filing through the Court's system.

Date: January 7, 2025

/s/ James R. Serritella
James R. Serritella